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Kestutis Patiejunas

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45809

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(c/o MICROSOFT CORPORATION)  
INTELLECTUAL PROPERTY DEPARTMENT  
2555 GRAND BOULEVARD  
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EXAMINER

BRUCKART, BENJAMIN R

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Art Unit: 2446

Applicant argues the combination of references fail to teach 1) distributable content is configured to expire after a predetermined time. 2) a collection engine that receives a minimum number of subscriber requests for the distributed content from subscribers in a subscriber group. 3) generating subscriber bills for transmission over the first network but not for transmission over the second network for each subscriber in the subscriber group.

The examiner respectfully submits:

The Weller reference teaches points 2) and 3). Weller col. 6, lines 3-33 teach a collection engine (the CDN and NCDN) network content delivery network as it meets the claim criteria that distributes and deploys the content throughout the network. The generating subscriber bills is taught in col. 6, lines 66- col. 7, line 6 where the CDN invoices NSP on a periodic basis, monthly service charge for operating the NCDN and that fee is based on additional criteria. Applicant does not argue differences or specific features from the reference. Applicant has only made a mere pleading that the features are not taught without thoughtful consideration of the references as cited. For point 1) the content configured to expire after a certain time, the Lockridge reference is relied upon to teach this (para 25). Lockridge incorporates pay per view system with video on demand features. All three pieces of art are analogous in nature and provide proper motivation to combine. The dependent claims are held allowable for the reason that the independent claim is not allowable as cited above.

The rejection of claim 34 is maintained for the same reason as given above. Also see the previous rejection. The Kim reference is relied upon to teach the feature that content is received after a minimum number of different subscribers in the subscriber group request the content (see Kim Fig. 4, para 66 and 70).

Regarding claim 80, the examiner maintains the rejection for the same reasons applied above, See above and previous rejection.

Regarding claim 93, the Nomura reference teaches the feature of a local storage associated with a viewing device in Weller. Applicant has not defined the local storage device as with it is local to. Applicant provide few details along with the mere pleading that the features are not taught.

Regarding claim 107, the applicant argues the user interface portion that Rodriguez is cited to teach (see previous rejection)

The examiner maintains that applicant has not argued with detail or substance the distinguishing features of the invention against the cited prior art. The examiner again notes that the claims are different scope and features of the same invention and that the features argued for one claim are not applicable to specific other claims.